

REMARKS

This application has been reviewed in light of the Office Action mailed January 30, 2006.

Reconsideration of this application in view of the below remarks is respectfully requested.

Claims 1-34 are pending in the application with Claims 1, 6, 11, 14, 16, 18, 20, 22, 27 and 32 being in independent form. By the present amendment, Claims 1, 3, 5, 6, 8, 10 – 24, 26 – 29 and 31 – 34 have been amended. No new subject matter has been introduced into the disclosure by way of the present amendment.

I. Rejection of Claims 1-34 Under 35 U.S.C. §112, Second Paragraph

Claims 1-34 are rejected under 35 U.S.C. §112, second paragraph, for allegedly failing to claim that which Applicant regards as the invention. Specifically, the Examiner believes that the use of the terms “digital information” and “digital watermark information” renders the claims unclear.

In response, Claims 1, 3, 5, 6, 8, 10 – 24, 26 – 29 and 31 – 34 have been amended to recite digital watermark instead of digital watermark information. While both digital information and digital watermarks are forms of electronic data,

In common English usage, a digital watermark is understood to be a snippet of data that is embedded into a digital information (i.e., image, video stream or audio stream) for the purpose of marking the particular digital information – most notably for the purpose of preventing theft or unauthorized use of the digital information so marked. By removing the word “information” from the phrase “digital watermark information”, a distinction is evident between the digital watermark and the digital information into which the digital watermark is inserted. Additionally, any confusion that may arise over whether the phrase “digital watermark information” refers to digital information having a digital watermark already embedded is eliminated.


Therefore, Claims 1 – 34 are believed to adequately address and overcome the rejection under 35 U.S.C. §112, second paragraph. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 1 – 34 under 35 U.S.C. §112, second paragraph.

CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-34 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



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